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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Clarence Wildcat, et al.,

Plaintiffs

v.

American West Development, Inc., et al.,

Defendants

Case No. 2:19-cv-01248-JAD-NJK

**Order Adopting Report and
Recommendation, Dismissing Real Estate
Settlement Procedures Act Claims, and
Remanding Case**

[ECF Nos. 9, 35]

On November 15, 2019, Magistrate Judge Nancy Koppe evaluated Loan Depot's motion to dismiss this case¹ in which American West joins,² along with plaintiffs' response and Loan Depot's reply. In a report and recommendation, she recommends that I dismiss plaintiffs' claim under the Real Estate Settlement Procedures Act (RESPA) without leave to amend and remand to state court the remaining claims.³ The deadline for objections to that recommendation passed without objection or any request to extend the deadline to file one.⁴ "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed."⁵

IT IS THEREFORE ORDERED that the magistrate judge's report and recommendation [ECF No. 35] is **ADOPTED** in full;

¹ ECF No. 9.

² ECF No. 22.

³ ECF No. 35.

⁴ *See id.* ("Objections to R&R due by 11/29/2019").

⁵ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 IT IS FURTHER ORDERED THAT the motion to dismiss **[ECF No. 9] is GRANTED;**
2 Plaintiffs' RESPA claim is dismissed. The Clerk of Court is directed **to REMAND this case**
3 **back to state court, case No. A-19-797248-C, Department 13**, for adjudication of the
4 remaining state-law claims, and CLOSE THIS CASE.

5 Dated: December 3, 2019

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8 U.S. District Judge Jennifer A. Dorsey
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